

1 **WAGANAKISING ODAWAK STATUTE 2014-__**
2 **TRIBAL GOVERNMENT HUMAN RESOURCES DEPARTMENT**
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5 **SECTION I. PURPOSE**
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7 The purpose of this Statute is hereby enacted to establish the Human Resources
8 Department within the Little Traverse Bay Bands of Odawa Indians government that is
9 responsible to provide equal and fair employment practices directly to the Executive, Legislative,
10 Election Board and Judicial Branches of government personnel as well as the Office of the
11 Prosecutor.
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14 **SECTION II. DEFINITIONS**
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- 16 **A.** “Cultural” means cultural aspects of the Odawa history, spirituality, traditions, arts and
17 crafts, values and mannerisms. (need to add to content)
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19 **B.** “Department” means Human Resources Department.
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21 **C.** “Director” means the Human Resources Department Director.
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23 **D.** “LTBB” or Tribe” means the Little Traverse Bay Bands of Odawa Indians.
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26 **SECTION III. CREATION OF THE DEPARTMENT**
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- 28 **A.** Pursuant to Article VII (D) (22) of the Tribal Constitution the Tribal Council shall have
29 the power to: “Approve the creation or dissolution of Executive divisions or departments to
30 promote and protect the peace, health, safety, education, and general welfare, including but not
31 limited to cultural and natural resources, of the Little Traverse Bay Bands of Odawa Indians and
32 its members”.
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- 34 **B.** The Tribal Council hereby approves the creation of the Human Resources Department

1 within the Executive Branch of government.

3 **SECTION IV. APPROPRIATIONS AUTHORIZED**

5 The current appropriations for Human Resources Department within the Executive
6 budget shall be used to implement this statute. The Executive may request additional
7 supplemental funds necessary to meet the obligations of this Statute; and the Executive shall
8 present Tribal Council with future annual budgets necessary to implement this statute.

11 **SECTION V. STAFFING**

13 **A.** If appropriate, the Department shall begin operations with currently employed LTBB
14 staff as designated by the Executive.

16 **B.** At such time as may be needed, an Interview and Hiring Committee for the Director's
17 position shall be established, and composed of the Chairperson, Legislative Leader, Chief Judge,
18 Prosecutor and the Human Resource Generalist.

20 **C.** Indian Preference in Employment shall apply.

23 **SECTION VI. AUTHORITIES AND DUTIES**

25 **A.** The Department shall have the following duties:

- 27 **1.** Contribute to the main objectives and activities of the tribal government by
28 indirectly, lending support.
- 30 **2.** Administer interactive resources for employment opportunities.
- 32 **3.** Promote employment opportunities for the tribal government.
- 34 **4.** Create an Administrative Procedural Manual that defines employer-employee

relationships, setting employer expectations to limit employer liability and minimize inconsistent decision making in the workplace for the tribal government.

SECTION VII. ADMINISTRATIVE PROCEDURES REQUIRED

The Executive shall submit such Administrative Procedures to the Tribal Council for approval within one-hundred twenty (120) days in accordance with the Administrative Procedures Act 2008-001, or as amended and shall include processes for implementing all Fair Employment Statutes, Resolutions, Regulations, Policies and amendments thereto in order to clarify the implementation of this statute by defining how the department will implement the daily activities such as procedures and forms including but not limited to the following:

- A. Employee Relations.
- B. Employment Records Management System.
- C. Provisions of Employment that includes but not limited to:
 - 1. Job Descriptions;
 - 2. Recruiting;
 - 3. Classification and Compensation System for Hourly and Salary;
 - 4. Payroll Record Keeping;
 - 5. Applicant Register;
 - 6. Selection Process/Conducting Interviews /Making Job Offers;
 - 7. Employment of Minors;
 - 8. Grant Funded Employees;
 - 9. Rehired and Reinstated Employees;
 - 10. Employment of Immediate Family;
 - 11. Employee Processing including References and Criminal Background Checks;
 - 12. Probationary Status;
 - 13. Provisions for Disabilities;
 - 14. Moving Expense Reimbursements;
 - 15. Assignments/Transfers/Promotions/Demotions;
 - 16. General Work Schedules and Schedule Changes;

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- 1 17. Comprehensive Employment and Training Program to include Training Program
2 for Temporary Workers;
3 Class-1 General Delivery/Pick up Class-2 People Transport, Class-3 Buses and
4 Semi-Trucks drivers;
5 18. Employment Medical Evaluations including alcohol and drug testing;
6 19. Performance Standards/Evaluations;
7 20. Non-Compete Employment;
8 21. Desk Audit. IE: for Job Reclassification;
9 22. Employee Privacy Rights in the workplace;
10 23. Investigating Misconduct;
11 24. Corrective action improvement plan;
12 25. Discipline;
13 26. Retention and Mentoring of Tribal Citizens;
14 27. Loss of License/Certification or Qualifications;
15 28. Termination/Exit Interview;
16 29. Employees with contracts.

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18 D. Wage and Salary Plan and Benefits including but not limited to:

- 19 1. Benefits Assistance (all fringe related items);
20 2. Tuition Reimbursements;
21 3. Supplemental Pay IE: PTO, Holiday, Traditional Time Off, Bereavement, Office
22 Closures, Military Leave, Educational Leave, Fitness Leave and Professional
23 Development Leave, Jury duty Leave, Family and Medical Leave,
24 Maternity/Paternity Leave;

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27 E. Unemployment Claims.

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29 F. Grievances guideline.

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31 G. Employee Settlement guideline;

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33 ^{4 of 5} H. Application of Foreign Employment Law.

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2 **SECTION VIII. QUARTERLY REPORTS**
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4 The Department shall provide a written quarterly report to the Executive that shall
5 contain the number of employees, employee turn-over rate, number of Tribal Citizens, number of
6 other Natives and non-Natives employed; number of Tribal Citizens, Other Natives and non-
7 Natives employed in management, requests for new development and/or capital projects and any
8 other relevant information. The report shall be forwarded to Tribal Council in an Executive
9 Oversight Monthly Report.
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12 **SECTION IX. EFFECTIVE DATE**
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14 Effective upon signature of the Executive or 30 days from Tribal Council approval
15 whichever comes first or if the Executive vetoes the legislation, then upon Tribal Council
16 override of the veto.
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19 **CERTIFICATION**